

REMARKS

The Official Action mailed July 7, 2010, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to November 7, 2010. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on October 17, 2006; September 30, 2008; November 4, 2009 and May 3, 2010.

The Applicant notes the *partial* consideration of the Information Disclosure Statement filed on August 16, 2006. Specifically, it appears that the Examiner inadvertently overlooked the citation of "International Search Report for PCT/JP2005/002096" listed in the "Non Patent Literature Documents" section. A copy of the partially considered Form PTO-1449 is available in the Image File Wrapper under the heading, "1449 List of References cited by applicant and considered by examiner" and has a mail room date of "March 2, 2010." **The Applicant respectfully requests that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of the above-referenced Information Disclosure Statement.**

Claims 1-11 were pending in the present application prior to the above amendment. Claims 1-11 have been canceled without prejudice or disclaimer, and new claims 12-19 have been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 12-19 are now pending in the present application, of which claims 12, 15 and 18 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1-11 as anticipated by U.S. Patent No. 6,119,095 to Morita. In view of the above-mentioned cancellation of claims 1-11, the rejection is moot. Furthermore, for the reasons provided below, the Applicant

respectfully submits that new claims 12-19 of the present invention are not anticipated by Morita.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

New claims 12-19 recite "a route point specifying unit configured to specify multiple route points including multiple guidance-time-specified route points for which guidance times and staying time periods are specified and multiple guidance-time-not-specified route points for which the staying time periods are specified without specifying the guidance times, wherein the route points are passed through a route from a departure point which a user departs at a predetermined departure time to a destination point which the user reaches at a predetermined time of arrival" (or "a route point specifying step").

The Applicant respectfully submits that the guidance route search device of the present invention places the guidance-time-specified route points in time periods from the departure time to the time of arrival, thereby temporarily determining the route. Further, the guidance route search device determines whether or not the staying time periods at the guidance-time-specified route points overlap with one another. Furthermore, the guidance route search device eliminates the overlap among the staying time periods at the guidance-time-specified route points, thereby adjusting the staying time periods, if it was determined that the staying time periods overlap with one another.

Thereafter, the guidance route search device places the guidance-time-not-specified route points in the time periods from the departure time to the time of arrival, thereby temporarily determining the route and determines whether or not the staying time periods at the guidance-time-specified route points and the staying time periods at the guidance-time-not-specified route points overlap with one another. Then, the

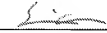
guidance route search device eliminates the overlap among the staying time periods at the guidance-time-specified route points and the staying time periods at the guidance-time-not-specified route points, thereby adjusting the staying time periods, if it was determined that the staying time periods overlap with one another.

Therefore, the guidance route search device generates a recommended route. However, Morita does not disclose, either explicitly or inherently, the above-mentioned features of the present invention. To the contrary, Morita only potentially discloses a technique for deleting visiting places or deleting the length of stay at the visiting places having lower priority, if a consumption time is more than an intended travel time. However, Morita does not disclose, either explicitly or inherently, a guidance route search device for generating the recommended route, which defines the guidance-time-specified route points and the guidance-time-not-specified route points, and which comprises: a unit configured to place the guidance-time-specified route points in time periods from the departure time to the time of arrival; a unit configured to adjust the staying time periods to eliminate the overlap among the staying time periods; a unit configured to place the guidance-time-not-specified route points in the time periods from the departure time to the time of arrival; and a further unit configured to adjust the staying time periods to eliminate the overlap among the staying time periods, as recited in the claims of the present invention. Accordingly, since Morita does not teach each element of the independent claims, either explicitly or inherently, the Applicant respectfully submits that new claims 12-19 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,



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